

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** By **CHAIRMAN BRUCE SIMON**, on January 19, 1999 at 8:00 A.M., in Room 104 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Bruce Simon, Chairman (R)  
Rep. Bob Pavlovich, Vice Chairman (D)  
Rep. Paul Sliter, Vice Chairman (R)  
Rep. Joe Barnett (R)  
Rep. Rod Bitney (R)  
Rep. Sylvia Bookout-Reinicke (R)  
Rep. Roy Brown (R)  
Rep. David Ewer (D)  
Rep. Carol C. Juneau (D)  
Rep. Billie Krenzler (D)  
Rep. Bob Lawson (R)  
Rep. Gay Ann Masolo (R)  
Rep. Gary Matthews (D)  
Rep. Joe McKenney (R)  
Rep. Carolyn Squires (D)  
Rep. Jay Stovall (R)  
Rep. Cliff Trexler (R)  
Rep. Carley Tuss (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Stephen Maly, Legislative Branch  
Pati O'Reilly, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

##### **Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 167, HB 150, HB 155, HB 136  
POSTED 1/7/1999 AND HB 250  
POSTED 1/14/1999  
Executive Action: HB 167, 200, 229, 250, 43, 227

**HEARING ON REP. COBB'S CORRECTION**

**Informational Testimony:** Rep. Simon reported that Rep. Cobb intended to change the effective date on the house floor today.  
{Tape : 1; Side : A; Approx. Time Counter : 0 - 14}

**HEARING ON HB 250**

**Sponsor:** Rep. Rehbein, HD 100, introduced HB 250.  
**EXHIBIT** (buh14a01)

{Tape : 1; Side : A; Approx. Time Counter : 14 - 40}

**Proponents:** Evan Barrett, Montana Economic Development Assn.  
{Tape : 1; Side : A; Approx. Time Counter : 102 - 146}

**Opponents:** None

**Questions from Committee Members and Responses:**

Reps. Krenzler and Bookout question Rep. Rehbein  
Rep. Sliter questions Barrett.

{Tape : 1; Side : A; Approx. Time Counter : (102 - 146)}

Reps. Bitney and Tuss question E. Barrett

{Tape : 1; Side : A; Approx. Time Counter : 146 - 204}

Rep. Simon questions Rehbein.

{Tape : 1; Side : A; Approx. Time Counter : 204 - 232}

**Closing by Sponsor:** Rep. Rehbein closed HB 250.

{Tape : 1; Side : A; Approx. Time Counter : 232 - 248}

**HEARING ON HB 150**

**Sponsor:** Rep. Menahan, HD 57 introduced HB 150.

{Tape : 1; Side : A; Approx. Time Counter : 248 - 280}

**Proponents:** Secretary of State, Mike Cooney.

{Tape : 1; Side : A; Approx. Time Counter : 280 - 340}

**Opponents:** None

**Questions from Committee Members and Responses:**

Reps. Stovall, Krenzler, Simon and Ewer questions Secretary Cooney.

**{Tape : 1; Side : A; Approx. Time Counter : 340 - 500}**

Rep. Bookout questions Rep. Ewer

**{Tape : 1; Side : B; Approx. Time Counter : 0 - 49}**

Rep. Simon questions Secretary Cooney.

**{Tape : 1; Side : B; Approx. Time Counter : 49 - 78}**

**Closing by Sponsor:** Rep. Menahan closed on HB 150.

**{Tape : 1; Side : B; Approx. Time Counter : 78 - 87}**

### **HEARING ON HB 136**

**Sponsor:** Rep. Williams, HD 69 introduced HB 136.

**EXHIBIT** (buh14a02) **EXHIBIT** (buh14a03) **EXHIBIT** (buh14a04)

**{Tape : 1; Side : B; Approx. Time Counter : 87 - 182}**

**Proponents:** Bill Jensen. Lawyer with Blue Cross-Blue Shield and a board member and Chairman of the Montana Comprehensive Health Assn.

**{Tape : 1; Side : B; Approx. Time Counter : 182 - 238}**

Claudia Clifford, Montana Dept. of Insurance, State Auditors office.

**{Tape : 1; Side : B; Approx. Time Counter : 238 - 279}**

Don Allen, Montana Medical Benefits Plan.

**{Tape : 1; Side : B; Approx. Time Counter : 279 - 285}**

**Opponents:** None

### **Questions from Committee Members and Responses:**

Reps. Lawson, Krenzler and Bookout question Jensen.

**{Tape : 1; Side : B; Approx. Time Counter : 285 - 392}**

Rep. Simon questions C. Clifford.

**{Tape : 1; Side : B; Approx. Time Counter : 392 - 459}**

**Closing by Sponsor:** Rep. Williams closed on HB 136

**{Tape : 1; Side : B; Approx. Time Counter : 459 - 500}**

### **EXECUTIVE ACTION ON HB 250**

**Motion:** Rep. Krenzler moved that HB 250 **DO PASS.**

**{Tape : 2; Side : A; Approx. Time Counter : 0 - 6}**

**Motion/Vote:** Rep. Pavlovich moved that HB 250 **BE AMENDED**.  
Motion carried 18-0.

**{Tape : 2; Side : A; Approx. Time Counter : 6 - 14}**

**Motion/Vote:** Rep. Masolo moved that HB 250 **DO PASS AS AMENDED**.  
Motion carried unanimously.

**{Tape : 2; Side : A; Approx. Time Counter : 14 - 18}**

#### **HEARING ON HB 167**

**Sponsor:** Rep. Johnson, HD 10, introduced HB 167.

**{Tape : 2; Side : A; Approx. Time Counter : 18 - 102}**

**Proponents:** Nancy Butler, attorney with State Fund.

**{Tape : 2; Side : A; Approx. Time Counter : 102 - 130}**

Jerry Driscoll, Montana Building and Construction Trade Council.

**{Tape : 2; Side : A; Approx. Time Counter : 130 - 151}**

**Opponents:** None

**Questions from Committee Members and Responses:** Reps. Pavlovich ,  
Ewer and Brown question Nancy Butler.

**{Tape : 2; Side : A; Approx. Time Counter : 151 - 196}**

**Closing by Sponsor:** Rep. Johnson closed on HB 167.

**{Tape : 2; Side : A; Approx. Time Counter : 196 - 222}**

#### **EXECUTIVE ACTION ON HB 167**

**Motion:** Rep. Squires moved that HB 167 **DO PASS**.

**{Tape : 2; Side : A; Approx. Time Counter : 222 - 269}**

**Motion/Vote:** Rep. Pavlovich moved that HB 167 **BE AMENDED**.  
Motion failed 7-12 with Ewer, Juneau, Krenzler, Matthews,  
Pavlovich, Squires, and Tuss voting aye.

**{Tape : 2; Side : A; Approx. Time Counter : 269 - 300}**

**Motion/Vote:** Rep. Pavlovich moved that HB 167 **DO PASS**. Motion  
carried unanimously.

***{Tape : 2; Side : A; Approx. Time Counter : 300 - 355}***

**HEARING ON HB 155**

**Sponsor:** Rep. Pavlovich, HD 37 introduced HB 155.

**EXHIBIT** (buh14a05)

***{Tape : 2; Side : A; Approx. Time Counter : 355 - 416}***

**Proponents:** Frank Cote, Deputy Insurance Director, State Auditors Office.

***{Tape : 2; Side : A; Approx. Time Counter : 416 - 500}***

***{Tape : 2; Side : B; Approx. Time Counter : 0 - 7}***

Roger McGlen, Ex. Dir. Independent Insurance Agents of Montana.

***{Tape : 2; Side : B; Approx. Time Counter : 7 - 31}***

Irene Theurer, AARP

***{Tape : 2; Side : B; Approx. Time Counter : 31 - 39}***

Betty Beverly, Montana Senior Citizens.

***{Tape : 2; Side : B; Approx. Time Counter : 39 - 49}***

**Opponents:** Greg Van Horrsen, State Farm Insurance

***{Tape : 2; Side : B; Approx. Time Counter : 49 - 56}***

John Metropolis, Farmers Insurance Group

***{Tape : 2; Side : B; Approx. Time Counter : 56 - 139}***

Jacqueline Lenmark, American Insurance Assn.

***{Tape : 2; Side : B; Approx. Time Counter : 139 - 191}***

**Questions from Committee Members and Responses:**

Rep. Masolo questions Cote. Reps. Ewer and Bitney questions Van Horrsen.

***{Tape : 2; Side : B; Approx. Time Counter : 191 - 333}***

Rep. Tuss questions McGlen. Rep. Ewen questions Van Horrsen.

Rep. Stovall questions Cote. Rep. Sliter questions Cote, Metropolis and Van Horrsen.

***{Tape : 2; Side : B; Approx. Time Counter : ( 333 - 500)}***

Reps. Simon and Bookout question Cote.

***{Tape : 3; Side : A; Approx. Time Counter : 0 - 30}***

**Closing by Sponsor:** Rep. Pavlovich closed HB 155.

*{Tape : 3; Side : A; Approx. Time Counter : 30 - 138}*

**EXECUTIVE ACTION ON HB 43**

**Motion/Vote:** Rep. Pavlovich moved that HB 43 **BE TABLED**. Motion passed unanimously.

*{Tape : 3; Side : A; Approx. Time Counter : 172 - 223}*

**EXECUTIVE ACTION ON HB 200**

**Motion:** Rep. Bookout-Reinicke moved that HB 200 **DO PASS**.

*{Tape : 3; Side : A; Approx. Time Counter : 223 - 233}*

**Motion/Vote:** Rep. Sliter moved that HB 200 **BE AMENDED**. Motion carried unanimously.

*{Tape : 3; Side : A; Approx. Time Counter : 233 - 250}*

**Motion/Vote:** Rep. Sliter moved that HB 200 **DO PASS AS AMENDED**. Motion passed unanimously.

*{Tape : 3; Side : A; Approx. Time Counter : 250 - 296}*

**EXECUTIVE ACTION ON HB 229**

**Motion/Vote:** Rep. Ewer moved that HB 229 **DO PASS**. Motion carried 17-1 with Squires voting no. **EXHIBIT**(buh14a06)

*{Tape : 3; Side : A; Approx. Time Counter : 296 - 385}*

**EXECUTIVE ACTION ON HB 227**

**Motion:** Rep. Ewer moved that HB 227 **DO PASS**.

*{Tape : 3; Side : A; Approx. Time Counter : 385 - 395}*

**Motion:** Rep. Ewer moved that HB 227 **BE AMENDED**.

*{Tape : 3; Side : A; Approx. Time Counter : 395 - 472}*

**Motion/Vote:** Rep. Bookout-Reinicke moved that HB 227-Substitute Motion be amended. Motion carried 17-1 with Ewer voting no.

*{Tape : 3; Side : A; Approx. Time Counter : 472 - 500}*

**Motion/Vote:** Rep. Ewer moved that HB 227 **BE AMENDED**. Motion failed 9-9 with Barnett, Bitney, Bookout-Reinicke, Brown, Juneau, McKenney, Sliter, Stovall, and Trexler voting no.

***{Tape : 3; Side : B; Approx. Time Counter : 0 - 51}***

**MOTION/VOTE:** Rep. Lawson moved that HB 227 **BE AMENDED**. Motion carried unanimously.

***{Tape : 3; Side : B; Approx. Time Counter : 51 - 70}***

**Motion:** Rep. Sliter moved that HB 227 **DO PASS AS AMENDED**.

***{Tape : 3; Side : B; Approx. Time Counter : 70 - 77}***

**Motion/Vote:** Rep. Sliter moved that HB 227 **BE AMENDED**. Motion carried 16-2 with Juneau and Trexler voting no.

***{Tape : 3; Side : B; Approx. Time Counter : 77 - 89}***

**MOTION:** Rep. Sliter moved that HB 227 **DO PASS AS AMENDED**.

***{Tape : 3; Side : B; Approx. Time Counter : 89 - 112}***

**Motion/Vote:** Rep. Ewer moved that HB 227 **BE AMENDED**. Motion failed 5-13 with Ewer, Juneau, Krenzler, Matthews, and Squires voting aye.

***{Tape : 3; Side : B; Approx. Time Counter : 112 - 288}***

**Motion/Vote:** Rep. Trexler moved that HB 227 **BE AMENDED**. Motion carried unanimously.

***{Tape : 3; Side : B; Approx. Time Counter : 288 - 297}***

**Motion/Vote:** Rep. Sliter moved that HB 227 **DO PASS AS AMENDED**. Motion carried 16-2 with Lawson and Masolo voting no.

***{Tape : 3; Side : B; Approx. Time Counter : 297 - 329}***

#### **EXECUTIVE ACTION ON HB 155**

**Motion:** Rep. Pavlovich moved that HB 155 **DO PASS**.

***{Tape : 3; Side : B; Approx. Time Counter : 329 - 339}***

**Motion:** Rep. Pavlovich moved HB 155 - withdrew Motion.

***{Tape : 3; Side : B; Approx. Time Counter : 339 - 349}***

**ADJOURNMENT**

Adjournment: 11:42 A.M.

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REP. BRUCE SIMON, Chairman

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PATI O'REILLY, Secretary

BS/PO

**EXHIBIT (buh14aad)**